

1-1 By: Williams S.B. No. 758
 1-2 (In the Senate - Filed February 22, 2013; February 25, 2013,
 1-3 read first time and referred to Committee on Finance;
 1-4 February 27, 2013, reported favorably by the following vote:
 1-5 Yeas 14, Nays 0; February 27, 2013, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7 Williams	X			
1-8 Hinojosa	X			
1-9 Deuell	X			
1-10 Duncan	X			
1-11 Eltife	X			
1-12 Estes	X			
1-13 Hegar	X			
1-14 Huffman	X			
1-15 Lucio			X	
1-16 Nelson	X			
1-17 Patrick	X			
1-18 Seliger	X			
1-19 West	X			
1-20 Whitmire	X			
1-21 Zaffirini	X			

1-23 A BILL TO BE ENTITLED
 1-24 AN ACT

1-25 relating to the established schedule of payments from the
 1-26 foundation school fund of the yearly entitlement of certain school
 1-27 districts.

1-28 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-29 SECTION 1. Section 42.259, Education Code, is amended by
 1-30 amending Subsections (c), (d), and (f) and adding Subsections (c-1)
 1-31 and (d-1) to read as follows:

1-32 (c) Payments from the foundation school fund to each
 1-33 category 2 school district shall be made as follows:

1-34 (1) 22 percent of the yearly entitlement of the
 1-35 district shall be paid in an installment to be made on or before the
 1-36 25th day of September of a fiscal year;

1-37 (2) 18 percent of the yearly entitlement of the
 1-38 district shall be paid in an installment to be made on or before the
 1-39 25th day of October;

1-40 (3) 9.5 percent of the yearly entitlement of the
 1-41 district shall be paid in an installment to be made on or before the
 1-42 25th day of November;

1-43 (4) 7.5 percent of the yearly entitlement of the
 1-44 district shall be paid in an installment to be made on or before the
 1-45 25th day of April;

1-46 (5) five percent of the yearly entitlement of the
 1-47 district shall be paid in an installment to be made on or before the
 1-48 25th day of May;

1-49 (6) 10 percent of the yearly entitlement of the
 1-50 district shall be paid in an installment to be made on or before the
 1-51 25th day of June;

1-52 (7) 13 percent of the yearly entitlement of the
 1-53 district shall be paid in an installment to be made on or before the
 1-54 25th day of July; and

1-55 (8) 15 percent of the yearly entitlement of the
 1-56 district shall be paid in an installment to be made on or before the
 1-57 25th day of August [~~after the 5th day of September and not later~~
 1-58 ~~than the 10th day of September of the calendar year following the~~
 1-59 ~~calendar year of the payment made under Subdivision (1)].~~

1-60 (c-1) Notwithstanding Subsection (c)(8), for the state
 1-61 fiscal year ending August 31, 2013, the installment described by

2-1 that subdivision shall be paid on or before the 30th day of August,
2-2 2013. This subsection expires August 31, 2013.

2-3 (d) Payments from the foundation school fund to each
2-4 category 3 school district shall be made as follows:

2-5 (1) 45 percent of the yearly entitlement of the
2-6 district shall be paid in an installment to be made on or before the
2-7 25th day of September of a fiscal year;

2-8 (2) 35 percent of the yearly entitlement of the
2-9 district shall be paid in an installment to be made on or before the
2-10 25th day of October; and

2-11 (3) 20 percent of the yearly entitlement of the
2-12 district shall be paid in an installment to be made on or before the
2-13 25th day of August [~~after the 5th day of September and not later~~
2-14 ~~than the 10th day of September of the calendar year following the~~
2-15 ~~calendar year of the payment made under Subdivision (1)~~].

2-16 (d-1) Notwithstanding Subsection (d)(3), for the state
2-17 fiscal year ending August 31, 2013, the installment described by
2-18 that subdivision shall be paid on or before the 30th day of August,
2-19 2013. This subsection expires August 31, 2013.

2-20 (f) Previously [~~Except as provided by Subsection (c)(8) or~~
2-21 ~~(d)(3), any previously~~] unpaid additional funds from prior fiscal
2-22 years owed to a district shall be paid to the district together with
2-23 the September payment of the current fiscal year entitlement.

2-24 SECTION 2. Subsection (c), Section 466.355, Government
2-25 Code, is amended to read as follows:

2-26 (c) Each August the comptroller shall:

2-27 (1) estimate the amount to be transferred to the
2-28 foundation school fund on or before September 15; and

2-29 (2) notwithstanding Subsection (b)(4), transfer the
2-30 amount estimated in Subdivision (1) to the foundation school fund
2-31 before August installment payments are made under Section 42.259,
2-32 Education Code [25].

2-33 SECTION 3. The changes made by this Act to Section 42.259,
2-34 Education Code, apply only to a payment from the foundation school
2-35 fund that is made on or after the effective date of this Act. A
2-36 payment to a school district from the foundation school fund that is
2-37 made before that date is governed by Section 42.259, Education
2-38 Code, as it existed before amendment by this Act, and the former law
2-39 is continued in effect for that purpose.

2-40 SECTION 4. This Act takes effect immediately if it receives
2-41 a vote of two-thirds of all the members elected to each house, as
2-42 provided by Section 39, Article III, Texas Constitution. If this
2-43 Act does not receive the vote necessary for immediate effect, this
2-44 Act takes effect on the 91st day after the last day of the
2-45 legislative session.

2-46 * * * * *